

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

23-02639 BKMFR01  
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Mount Laurel, NJ 08054  
(844) 856-6646

Attorneys for Wilmington Savings Fund Society, FSB,  
not in its individual capacity but solely as trustee of  
MFA 2021-NQM2 Trust

In Re:

CHRISTIAN G MONNE



Order Filed on February 23, 2024  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No: 23-10870-JKS

Hearing Date: January 25,  
2024

Judge: JOHN K.  
SHERWOOD

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY  
AND/OR MOTION TO DISMISS  
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

**DATED: February 23, 2024**

A handwritten signature in black ink, appearing to read "J K Sherwood", is written over a horizontal line.

Honorable John K. Sherwood  
United States Bankruptcy Court

Applicant: Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as trustee of MFA 2021-NQM2 Trust  
Applicant's Counsel: Matthew Fissel, Esquire, Brock & Scott, PLLC  
Debtor's Counsel: Jamal J Romero, Esquire  
Property Involved ("Collateral"): 33 Graydon Terrace, Clifton, NJ 07013

Relief sought: ☒ Motion for relief from the automatic stay  
☐ Motion to dismiss  
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 4 months, from October 1, 2023 to January 1, 2024.  
☒ The Debtor is overdue for 2 payments at \$2,503.83 per month, for 2 payments at \$2,532.68 per month.  
☐ The Debtor is assessed for \_\_\_\_\_ late charges at \$ \_\_\_\_\_ per month.  
☐ Applicant acknowledges receipt of funds in the amount of \$ \_\_\_\_\_ received after the motion was filed.  
☒ There is currently \$800.15 being held in Debtor's suspense account.

**Total Arrearages Due: \$9,272.87**

2. Debtor must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$ \_\_\_\_\_. Payment shall be made no later than \_\_\_\_\_.  
☒ Beginning on February 1, 2024, regular monthly mortgage payments in the amount of \$2,532.68 shall resume.  
☐ Beginning on \_\_\_\_\_, additional monthly cure payments shall be made in the amount of \$ \_\_\_\_\_ for \_\_\_\_\_ months.  
☒ The amount of \$9,272.87 shall be capitalized in the Debtor's remaining Chapter 13 Plan payments. Debtor shall file a Modified Plan within fifteen (15) days of entry of this Order.

3. Payments to the Applicant shall be made to the following address:

☐ Immediate payment:

\_\_\_\_\_  
\_\_\_\_\_

☒ Regular monthly payment:

\_\_\_\_\_  
Wilmington Savings Fund Society FSB, 9726  
Old Bailes Road, Ste. 200, Fort Mill, SC 29707  
\_\_\_\_\_

☐ Monthly cure payment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. In the event of Default:

☒ If the Debtor fails to modify their Chapter 13 Plan within fifteen (15) days from the entry of this Order by the Court, or fails to make any regular monthly mortgage payment within thirty (30) days of the date it becomes due, then the Applicant may obtain an Order vacating, terminating, and/or annulling the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ If the bankruptcy case is dismissed or converted, this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$500.00, and costs of \$199.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Applicant within \_\_\_\_\_ days.

☐ Attorneys' fees are not awarded.

In re:  
Christian G. Monne  
Debtor

Case No. 23-10870-JKS  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Feb 26, 2024

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 28, 2024:

Recip ID	Recipient Name and Address
db	+ Christian G. Monne, 39 Graydon Terrace, Clifton, NJ 07013-3315

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 28, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 26, 2024 at the address(es) listed below:

Name	Email Address
Andrew L. Spivack	on behalf of Creditor Wilmington Savings Fund Society FSB, not in its individual capacity but solely as trustee of MFA 20 andrew.spivack@brockandscott.com, wbecf@brockandscott.com
David L. Stevens	on behalf of Debtor Christian G. Monne dstevens@scura.com dstevens@scura.com;ecfbkfilings@scuramealey.com;pevangelista@scura.com;amurphy@scura.com;vmajano@scura.com;jromero@scura.com;spereyra@scura.com;14518@notices.nextchapterbk.com;dwoody@scura.com;sterry@scura
Denise E. Carlon	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Eamonn O'Hagan	on behalf of Creditor United States Internal Revenue Service eamonn.ohagan@usdoj.gov
Jamal J Romero	

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Feb 26, 2024

Form ID: pdf903

Total Noticed: 1

on behalf of Debtor Christian G. Monne jromero@scura.com  
dstevens@scura.com;ecfbkfilings@scuramealey.com;vmajano@scura.com;spereyra@scura.com;14799@notices.nextchapterbk.co  
m;sterry@scura.com

Marc D. Miceli

on behalf of Creditor AGSCO Corporation mmiceli@sm-lawpc.com lindsay@sm-lawpc.com

Marie-Ann Greenberg

magecf@magtrustee.com

Matthew K. Fissel

on behalf of Creditor Wilmington Savings Fund Society FSB, not in its individual capacity but solely as trustee of MFA 20  
wbecf@brockandscott.com, matthew.fissel@brockandscott.com

Michael E. Holt

on behalf of Interested Party Charles M. Forman Chapter 7 Trustee for CGM & Daughters Corporation mholt@formanlaw.com,  
kanema@formanlaw.com

Steven J. Mitnick

on behalf of Creditor AGSCO Corporation smitnick@sm-lawpc.com lindsay@sm-lawpc.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11